

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DEBRA A. LEWIS,

Plaintiff,

v.

THE MARMON GROUP LLC,

Defendant.

No. 1:11-cv-01806

Judge William J. Hibbler
Magistrate Judge Martin C. Ashman

DEFENDANT'S RULE 12(B)(1) MOTION TO DISMISS

Defendant, The Marmon Group LLC ("Defendant" or "Marmon"), pursuant to Rule 12 of the Federal Rules of Civil Procedure, moves to dismiss Plaintiff Debra Lewis' ("Plaintiff" or "Lewis") Complaint of Employment Discrimination for lack of subject matter jurisdiction. Lewis was not an employee of Marmon, but rather was, at all relevant times, an independent contractor. The Seventh Circuit has held that "independent contractors are not protected by Title VII." *Knight v. United Farm Bureau Mutual Insurance Co.*, 950 F.2d 377, 380 (7th Cir. 1991). As a result, this Court should dismiss Title VII claim against Marmon for lack of jurisdiction.

Respectfully submitted,

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